

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action mailed November 20, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-10 are pending in the Application. By means of the present amendment, claims 1-10 are amended including for better conformance to U.S. practice, such as changing "characterized in that" to --wherein--, and amending dependent claims to begin with "The" as opposed to "A". By these amendments, claims 1-10 are not amended to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents. Applicants furthermore reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

In the Office Action, claim 6 is objected to for informalities. Claim 6 is amended herein to cure the noted problem. Accordingly, it is respectfully submitted that claim 6 is in proper form and it is respectfully requested that this objection be withdrawn.

Claim 7 is rejected under 35 U.S.C. §101. In response claim 7 is amended to more clearly recite the steps necessary to achieve the method of the claim. Accordingly, it is respectfully submitted that claim 7 is in proper form and it is respectfully requested that this rejection under 35 U.S.C. §101 be withdrawn.

Claims 1-10 have been rejected under 35 U.S.C. 103(a) over U.S. Patent No. 7,239,424 (Berkner) in view of U.S. Patent No. 6,592,523 (Avinash). The rejection of claims 1-10 is respectfully traversed. Reconsideration and withdrawal of the rejection is herewith requested.

With regard to Berkner, in the Response to Arguments section, on page 3 of the present Office Action, it is admitted that Berkner does not teach "a spatial enhancement filter for enhancing structures of an intermediate image which is based on the first image and which has the second resolution" as recited in claim 1. However, on page 4 of the Office Action, the Office Action references Figure 4b and col. 16, line 62 to col. 17, line 5 of Berkner as disclosing the recitations of claim 1 other than the above-quoted limitation. The applicants respectfully disagree. A close examination of Berkner does not uncover any description or suggestion of conversion of one image into second image having a

higher resolution, or "the second resolution being higher than the first resolution" as recited in claim 1. Accordingly, it should be clear that Berkner fails to disclose or suggest this limitation.

Avinash describes reducing noise in ultrasound pixel images by shrinking initial image data and processing the shrunken image. After processing the shrunken image is enlarged and blended with the initial image. During blending, intensity dependent, uniform random noise is added to the non-structure region pixels.

Importantly, the claims of the present application substantially recite converting a first image with a first resolution into a second image with a second resolution, the second resolution being higher than the first resolution. It is thus respectfully submitted that similar to Berkner, Avinash does not teach, disclose, or suggest "a spatial enhancement filter for enhancing structures of an intermediate image which is based on the first image and which has the second resolution" as recited in independent claim 1, and as similarly recited in independent claims 7 and 8. Berkner and Avinash do not teach or suggest converting a first image into a second image with higher resolution. Further, the Office Action has failed to indicate where in Avinash a suggestion of the above quoted recitation of the claims is found.

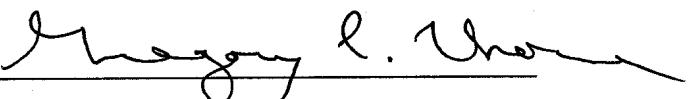
Based on the foregoing, the Applicants respectfully submit that independent claims 1, 7 and 8 are patentable over Berkner in view of Avinash and notice to this effect is earnestly solicited. In addition, it is respectfully submitted that claims 1-6 and 9-10 should also be allowed at least based on their dependence from their respective independent claims, as well as their individually patentable elements. Claims 1-6 and 9-10 respectively depend from one of claims 1 and 8 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

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Amendment in Reply to Office Action of November 20, 2008

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

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